
**Criminal Justice & Corrections
Committee**

HB 2654

Brief Description: Prohibiting sex offender treatment by treatment providers who are sex offenders.

Sponsors: Representatives Darneille, Strow, O'Brien, Lantz, Rodne, Simpson, Clibborn, McDonald, Conway, Miloscia, B. Sullivan and Ericks.

Brief Summary of Bill

- Prohibits sex offender treatment to be provided by a provider who has been convicted of a sex offense.

Hearing Date: 1/26/06

Staff: Yvonne Walker (786-7841).

Background:

The Department of Health (DOH) is authorized to issue certified and certified affiliate sex offender treatment provider certifications; determine minimum education, experience, and training requirements; and deny certification in accordance with the Uniform Disciplinary Act.

The DOH has the authority to issue an affiliate certificate to any person who:

- successfully completes the education requirements or other alternative training that meets the criteria and approval of the DOH;
- successfully completes the examination administered by the DOH;
- shown proof that he or she is being supervised by a certified sex offender treatment provider;
- has not engaged in unprofessional conduct or has not been unable to practice with reasonable skill and safety as a result of a physical or mental impairment; and
- has met any other requirements as established by the DOH that impact the competence of the sex offender treatment provider.

Only certified sex offender treatment providers and certain experienced certified affiliate providers may provide:

- evaluations for offenders eligible for the Special Sex Offender Sentencing Alternative (SSOSA) and the Special Sex Offender Disposition Alternative (SSODA);
- treatment to convicted or adjudicated sex offenders who were sentenced and ordered into treatment as part of a court order; and

- treatment to sexually violent predators released to a less restricted alternative (LRA) unless specified exceptions apply.

Similar to certified sex offender treatment providers, certified affiliate sex offender treatment providers may provide treatment to sex offenders. However, only certified providers or those certified affiliate sex offender treatment provider that have completed at least 50 percent of the required hours under the supervision of a certified provider, may perform evaluations for offenders eligible for the SSOSA and SSODA programs as well as provide treatment to convicted level III sex offenders and sexually violent predators released to a LRA. All other affiliate treatment providers are prohibited from providing evaluations and treatment to such sex offenders.

A certified or certified affiliate sex offender treatment provider may not provide treatment to sexually violent predators if the provider has been convicted of a sex offense or restricted from practicing any health care profession. These same restrictions do not apply to certified or certified affiliate sex offender treatment providers who provide treatment to other sex offenders who are not classified as sexually violent predators.

A certified affiliate sex offender treatment provider is a licensed, certified, or registered health professional who is certified as an affiliate to examine and treat sex offenders and sexually violent predators under the supervision of a certified sex offender treatment provider. Certified affiliates meet all the requirements that full certified providers meet, except for the clinical experience.

Summary of Bill:

A certified or certified affiliate sex offender treatment provider may not provide treatment to any type of convicted sex offender if the provider has been convicted of a sex offense.

Only a certified sex offender treatment provider, or certified affiliate sex offender treatment provider who has completed at least 50 percent of the required hours under the supervision of a certified sex offender treatment provider, may perform treatment of convicted level I, II, and II sex offenders.

The DOH may not issue a certificate or affiliate certificate to any sex offender treatment provider that has been convicted of a sex offense.

Appropriation: None.

Fiscal Note: Requested on January 13, 2006.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.